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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/593,744	09/22/2006	Osamu Kasono	046969-5542	3017
55694 7590 10/14/2009 DRINKER BIDDLE & REATH (DC) 1500 K STREET, N.W. SUITE 1100 WASHINGTON, DC 20005-1209				
EXAMINER RIDDLE, CHRISTINA A				
ART UNIT		PAPER NUMBER		
2882				
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10/14/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/593,744

Applicant(s)

KASONO ET AL.

Examiner

Christina Riddle

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-9 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 7-9, 11-21 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 7-9, drawn to an exposure device for irradiating an exposure beam to a substrate comprising a substrate mount portion, *a spindle, a fluid bearing portion, and a conduit pipe for supplying cooling fluid through the fluid bearing portion and the spindle to the substrate mount portion.*

Group II, claim(s) 11-12, drawn to an exposure device for irradiating an exposure beam to a substrate comprising a substrate mount portion, an irradiating portion, and *a low temperature member that is disposed at the exposure surface side of the substrate and at the rotational downstream side of the irradiation position of the exposure beam.*

Group III, claim(s) 13-16, drawn to an exposure device for irradiating an exposure beam to a substrate comprising a substrate holding portion, a driving portion for varying the irradiation position, and *an air blower for feeding air to the irradiation position of the exposure beam during irradiation of the exposure beam to cool the irradiation position.*

Group IV, claim(s) 17-21, drawn to an exposure device for irradiating an exposure beam to a substrate comprising a substrate holding portion, a driving portion for rotating and translating the substrate, *a cooling portion for cooling the substrate, an irradiation position detector for detecting the irradiation position of the exposure beam, a plurality of temperature detectors arranged along the radial direction of the substrate for detecting the temperature of the substrate, and a temperature controller for controlling the temperature of the irradiation position on the basis of the temperature detected by the plurality of temperature detectors.*

2. The inventions listed as Groups I-IV do not relate to a single inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features. The special technical feature of the Group I invention is *a spindle, a fluid bearing portion, and a conduit pipe for supplying cooling fluid through the fluid bearing portion and the spindle to the substrate mount portion*. The special technical feature of the Group II invention is *a low temperature member that is disposed at the exposure surface side of the substrate and at the rotational downstream side of the irradiation position of the exposure beam*. The special technical feature of the Group III invention is *an air blower for feeding air to the irradiation position of the exposure beam during irradiation of the exposure beam to cool the irradiation position*. The special technical feature of the Group IV invention is *a cooling portion for cooling the substrate, an irradiation position detector for detecting the irradiation position of the exposure beam, a plurality of temperature detectors arranged along the radial direction of the substrate for detecting the temperature of the substrate, and a temperature controller for controlling the temperature of the irradiation position on the basis of the temperature detected by the plurality of temperature detectors*. Since none of the inventions of Groups I-IV share special technical features, unity of invention is lacking.

3. **Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined** even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention.

If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christina Riddle whose telephone number is (571)270-7538. The examiner can normally be reached on Monday- Thursday 7:00-17:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (571)272-2490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. R./
Examiner, Art Unit 2882

/Edward J Glick/
Supervisory Patent Examiner, Art Unit 2882